

FILED

26 MAR 04 PM 4:21
DISTRICT OF UTAH

BY: _____
DEPT. CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-
Defendant,

vs.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-
Plaintiff.

**~~[PROPOSED]~~ ORDER GRANTING
LEAVE TO AMEND**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

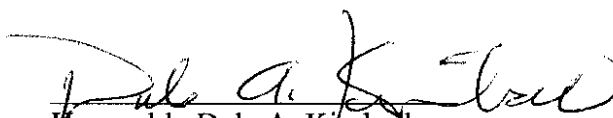
Magistrate Judge Brooke Wells

Based on the Defendant/Counterclaim Plaintiff's unopposed motion for leave to amend, and for good cause appearing,

IT IS HEREBY ORDERED that Defendant/Counterclaim Plaintiff International Business Machines Corporation be and hereby is granted leave to amend its counterclaims.

DATED this 26th day of March, 2004.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", written over a horizontal line.

Honorable Dale A. Kimball
United States District Court Judge

CERTIFICATE OF SERVICE

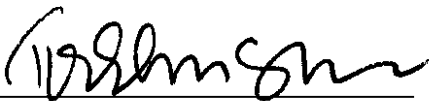
I hereby certify that on the 26th day of March, 2004, a true and correct copy of the foregoing **[PROPOSED] ORDER GRANTING LEAVE TO AMEND** was hand delivered to the following:

Brent O. Hatch
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, Utah 84101

and sent by U.S. Mail, postage prepaid, to the following:

Stephen N. Zack
Mark J. Heise
BOIES, SCHILLER & FLEXNER LLP
100 Southeast Second Street, Suite 2800
Miami, Florida 33131

Kevin P. McBride
1299 Ocean Avenue, Suite 900
Santa Monica, California 90401



United States District Court
for the
District of Utah
March 29, 2004

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

Brent O. Hatch, Esq.
HATCH JAMES & DODGE
10 W BROADWAY STE 400
SALT LAKE CITY, UT 84101
EMAIL

Stephen Neal Zack, Esq.
BOIES SCHILLER & FLEXNER
100 SE 2ND ST STE 2800
MIAMI, FL 33131
EMAIL

David K. Markarian, Esq.
BOIES SCHILLER & FLEXNER
100 SE 2ND ST STE 2800
MIAMI, FL 33131

Mark J. Heise, Esq.
BOIES SCHILLER & FLEXNER
100 SE 2ND ST STE 2800
MIAMI, FL 33131
EMAIL

Scott E. Gant, Esq.
BOIES SCHILLER & FLEXNER
5301 WISCONSIN AVE NW
WASHINGTON, DC 20015

Evan R. Chesler, Esq.
CRAVATH SWAINE & MOORE
825 EIGHTH AVE
NEW YORK, NY 10019
EMAIL

Thomas G. Rafferty, Esq.
CRAVATH SWAINE & MOORE
825 EIGHTH AVE
NEW YORK, NY 10019

David R. Marriott, Esq.

CRAVATH SWAINE & MOORE
825 EIGHTH AVE
NEW YORK, NY 10019
EMAIL

Mr. Alan L Sullivan, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Todd M. Shaughnessy, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Amy F. Sorenson, Esq.
SNELL & WILMER LLP
15 W SOUTH TEMPLE STE 1200
GATEWAY TOWER W
SALT LAKE CITY, UT 84101
EMAIL

Mr. Kevin P McBride, Esq.
1299 OCEAN AVE STE 900
SANTA MONICA, CA 90401